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| Environmental Services  Environmental Services  Central Operations  Temple Quay House  2 The Square  Bristol, BS1 6PN | Your Ref:  Our Ref:  Doc No:  Date: | APP/H0900/V/21/3271069  MKH.WES121.30  32382017v1  04 August 2021 |
| By email:Environmentalservices@planninginspectorate.gov.uk  cc. Mark Kirkbride and Kevin Murphy WCM; developmentcontrol@cumbria.gov.uk; Paul.Haggin@cumbria.gov.uk; Erin.shearer@cumbria.gov.uk; niall.toru@foe.co.uk; mmcfeeley@richardbuxton.co.uk; Magnus Gallie <magnus.gallie@foe.co.uk> Humphrey, Elizabeth <ELIZABETH.HUMPHREY@planninginspectorate.gov.uk> | | |

Dear Sirs

1. TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (‘THE 2017 EIA REGULATIONS’)
2. Application by: West Cumbria Mining Ltd
3. Site Address: Former Marchon Site, Kells, Whitehaven

We write further to our letter of 16 July and subsequent correspondence dated 28 July 2021 in which we enclose an extract of the Regulation 22 response to be issued by West Cumbria Mining Limited (WCM). As explained, the full response will be available at the beginning of September when it will be issued and advertised for formal consultation. This extract deals with the first bullet point from the Inspector’s letter.

"• *It was agreed at the Case Management Conference that Cumbria County Council would advise the Applicant of any new other development that has come forward (subsequent to the other development included in the cumulative effects assessment presented in the ES) which needs to be assessed cumulatively with the application proposals. If any such new development is identified by the Council, an updated description of likely significant cumulative effects should be provided;* "

In the interests of transparency and co-operation WCM have voluntarily issued this early response to assist the Inspector and so as not to unnecessarily delay the Inquiry. The Council and Rule 6 parties are duly notified of this information by way of copy.

Yours faithfully



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3. Regulation 22 – Cumulative Impacts

3.1 Introduction – Regulation 22 requirement

It was agreed at the Case Management Conference that Cumbria County Council (CCC) would advise the Applicant of any new other development that has come forward (subsequent to the other development included in the cumulative effects assessment presented in the ES) which needs to be assessed cumulatively with the application proposals. If any such new development is identified by the Council, an updated description of likely significant cumulative effects should be provided.

On 1st July 2021 CCC sent the following information to WCM and the Inspector:

*“On the matter of further development since October 2020, Copeland BC have confirmed that only development of any significance is the approval of a reserved matters application for 335 houses on the opposite side of the road from the main mine entrance. The outline permission for 400+ dwellings was granted permission in 2013 and was I believe taken into account when we made our decision to grant permission for the Mine. (see attached). We will include reference to this in the Statement of Common Ground.”*

On 9th July 2021 CCC clarified this statement to read “*since 2018*”.

This development was already included in the cumulative impact assessment previously carried out – see extract from WCM’s Environmental Statement below.

3.2 Changes since application made

At the time of the EIA submission to CCC, a topic-by-topic cumulative impact assessment was carried out by WCM incorporating the known projects in development or in planning at that time. The list of developments that were included in the cumulative impact assessments were agreed with Cumbria County Council.

Of the six projects identified in Chapter 2 of the ES, paragraph 2.5.8 as having a possible cumulative impact, two are no longer being brought forward (Moorside and associated National Grid work) and the Sellafield projects are in fact decreasing rather than increasing their activities. The United Utilities pipeline project is now completed. As confirmed by CBC and CCC no new projects have come forward in the area in the interim.

3.3 Conclusion

There are no new developments that have come forward (subsequent to the other development included in the cumulative effects assessment presented in the ES) which need to be assessed cumulatively with the application proposals .